IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

Crl.MC.No. 1792 of 2007()

CRIME NO.533 OF 2006 OF PALARIVATTOM POLICE STATION
J.F.C.M COURT-II, ERNAKULAM

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PETITIONER: 1ST ACCUSED

GEORGE BENSON, AGED 32 YEARS,
MOONJAPPILLY HOUSE, NETAJI ROAD, EDAPPALLY P.O.,
ERNAKULAM DISTRICT.

BY ADV. SRI.K.S.MOHAMED HASHIM

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 04/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.1792 of 2007

Dated this the 4th day of June, 2007

ORDER

Petitioner faces allegations, inter alia, under Section 498 A I.P.C. Apprehending arrest, he approached this Court with a petition under Section 438 Cr.P.C. Another Bench of this Court granted anticipatory bail for a period of one month and directed that the petitioner must surrender before the learned Magistrate and seek regular bail in the meanwhile. Conditions were also imposed.

2. It is submitted that the petitioner appeared before the learned Magistrate and was granted regular bail. Identical conditions as were fixed by this Court in Annexure-I were imposed by the learned Magistrate also, submits the learned counsel for the petitioner. The petitioner has now come before this Court for deletion of the said conditions.

3. The conditions imposed by this Court in Annexure-I are not in force now. They occupied the field only for a period of one month from the date of the order. In the meantime, regular bail was granted by the learned Magistrate, it is submitted. The bail was thus granted by the learned Magistrate and the condition imposed, if any, by the learned Magistrate must occupy the field now. If the petitioner wants any such condition to be deleted, it is for him to approach the

learned Magistrate. No condition imposed by this Court can be said to be in force after the period of one month and after the surrender of the petitioner and release of the petitioner on regular bail as per order passed by the learned Magistrate in his favour. It is for the petitioner to approach the learned Magistrate for deletion of conditions, if any, at the time regular bail was granted pursuant to Annexure-II order.

4. This petition is hence dismissed.

(R.BASANT, JUDGE)

rtr/-